

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re	:	
	:	Chapter 7
HERMAN SEGAL,	:	
	:	Case No. 13-45519 (NHL)
Debtor.	:	
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**ORDER, AUTHORIZING TRUSTEE TO USE THE FORENSIC IMAGES OF
ALL ELECTRONIC DEVICES OWNED, USED OR CONTROLLED BY
DEBTOR HERMAN SEGAL, IN ACCORDANCE WITH THIS COURT'S
MEMORANDUM DECISION AND ORDER DATED JULY 31, 2015**

Upon the declaration of Fred Stevens, pursuant to 28 U.S.C. § 1746, in support of the motion of Richard E. O'Connell, the Chapter 7 Trustee (the "Trustee") for the estate of Herman Segal (the "Debtor"), for entry of an order authorizing the Trustee to utilize the images (the "Images") of the Debtor's electronic devices (the "Devices") consistent with this Court's Order with accompanying Memorandum Decision, dated July 31, 2015 (collectively, the "Imaging Order") [Docket No. 260], authorizing the Trustee to make Images of the Devices and establishing the procedures for using those Images; and upon the Imaging Order; and upon the record of the telephonic hearing held before the Court on August 14, 2015 (the "Hearing"); and both counsel to the Trustee and Herman Segal having participated at the Hearing; and it appearing that no other or further notice is required; and after due deliberation and sufficient cause appearing therefore:

IT IS HEREBY FOUND AND DETERMINED THAT:

- A. On July 31, 2015, this Court entered the Imaging Order, which is incorporated herein by reference and made a part hereof.
- B. When the Debtor produced the Devices for imaging to the Trustee, the Devices were encrypted and their contents rendered useless with encryption codes (the "Codes").

C. The Debtor refused to allow the Devices to be imaged and provide the Codes unless the Trustee agreed that he would not use the Images without agreement or further order of this Court. The Trustee agreed to the condition in order to obtain the Images (the “Agreement”).

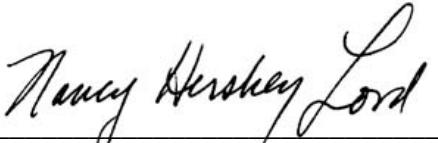
D. By turning over encrypted Devices, and refusing to provide the Codes absent the Agreement, the Debtor disregarded and undermined the intent and spirit of this Court’s Order.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is granted to the extent provided for herein.
2. The Agreement is a nullity and no liability can be imputed to the Trustee, Maragell or counsel to the Trustee for any violation of the Agreement.
3. The Trustee is authorized to use the Images in the manner provided for in the Imaging Order, which is incorporated herein and is in full force and effect.
4. The Debtor is directed to comply with the terms of the Imaging Order.
5. This Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

**Dated: August 14, 2015
Brooklyn, New York**




**Nancy Hershey Lord
United States Bankruptcy Judge**